

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Prasad Nimmagadda

Confirmation No.: 3799

Serial No.: 10/057,589

Group Art Unit: 2665

Filed: January 24, 2002

Examiner: Thien D. Tran

For: METHOD AND SYSTEM FOR SELECTION OF MODE OF OPERATION OF A  
SERVICE IN LIGHT OF USE OF ANOTHER SERVICE IN AN ADSL SYSTEM

April 3, 2006

Mail Stop Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(a)**

Sir:

I, Mitchell S. Bigel, am an attorney of record of the disclaimant, BellSouth Intellectual Property Corporation ("Disclaimant"), and am authorized to execute this disclaimer on behalf of Disclaimant. The Disclaimant, having a principal place of business in Wilmington, Delaware, is the owner of all right, title, and interest in the above-identified application, by Assignments recorded on September 2, 1998, at Reel 009437, Frame 0223 and on March 4, 2002, at Reel 012684, Frame 0591.

The Disclaimant hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. §§154 - 156, §173, and any other relevant statutory provision of prior U.S. Patent No. 6,426,961, issued July 30, 2002, as presently shortened by any terminal disclaimer, which patent was assigned to the above-identified disclaimant by Assignments recorded on September 2, 1998, at Reel 009437, Frame 0223 and on March 4, 2002, at Reel 012684, Frame 0591.

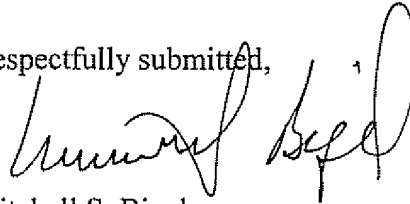
Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that U.S. Patent No. 6,426,961 and the instant application are commonly owned. This agreement

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runs with any patent granted on the above-identified application, and is binding upon the grantee, its successors, or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application that is prior to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 - 156 and §173 of U.S. Patent No. 6,426,961, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Respectfully submitted,



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**CERTIFICATION OF TRANSMISSION  
UNDER 37 CFR § 1.8**

I hereby certify that this correspondence is being transmitted electronically to the U.S. Patent and Trademark Office on  
April 6, 2006.



Susan E. Freedman  
Date of Signature: April 6, 2006